

UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT

Sorptive Minerals Institute,  
Petitioner  
*v.*  
Mine Safety and Health  
Administration; Secretary of  
Labor, United States Department  
of Labor,  
Respondents

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No. 24-1889

National Stone, Sand & Gravel  
Association, et al.,

Petitioner  
*v.*  
Mine Safety and Health  
Administration, et al.  
Respondents

No. 24-2661

Sorptive Minerals Institute and  
Blue Mountain Production  
Company,

Petitioners

v.

Mine Safety & Health  
Administration, et al.

No. 24-2663

Respondents

**Unopposed Motion for Extension of Time to File Joint Status Report**

On August 11, 2025, this Court directed the parties to file a status report regarding the developments in the case by October 10, 2025. Doc. 5546704. Pursuant to Federal Rule of Appellate Procedure 26(b), the Secretary hereby requests an extension of time in which to file her status report in this case. As grounds for this motion, the Secretary states as follows:

1. The Secretary's status report is currently due on October 10, 2025. The undersigned is responsible for preparing and filing the status report.
2. At the end of the day on September 30, 2025, appropriated funding for the Department of Labor and its subagencies, including the Mine Safety and Health Administration, lapsed. At this time, we do not know when Congress

will restore funding.

3. As a result of the lapse in appropriations, Department of Labor attorneys in the Solicitor's Office (including the undersigned) are prohibited from doing work, even on a voluntary basis, "exceeding that authorized by law except for emergencies involving the safety of human life or the protection of property." 31 U.S.C. § 1342. This exception "does not include ongoing, regular functions of government the suspension of which would not imminently threaten the safety of human life or the protection of property." *Id.*
4. In light of the foregoing, the Secretary requests that the Court extend the time to file its status report until a date at least 30 days after the restoration of funding for the Department.
5. I have contacted counsel for Petitioners and they do not object to this motion.
6. WHEREFORE, the Secretary respectfully requests an extension of time in which to file its status report.

Respectfully submitted,

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s/ Brad J. Mantel

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